



PATENT

Attorney Docket No.: 002900/D2/EPIC/EPIC/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Suketu A. Parikh

Serial No.: 09/843,419

Confirmation No. 9329

Filed: 4/26/01

For: Techniques For Triple And
Quadruple Damascene
Fabrication

)

) Group Art Unit: 2818

) Examiner: Berry, Renee R.

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) **Response To Office Action Mailed**

) **6/30/2004**

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) PATENT COUNSEL

) APPLIED MATERIALS, INC.

) Legal Affairs Department

) P.O. Box 450 A

) Santa Clara, CA 95052

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE

This response concerning the above-identified application is in response to the Office Action mailed on June 30, 2004.

AFFIRMATION OF ELECTION OF SPECIES

Applicant hereby affirms the election of claims 33 and 35-55, in response to the Examiner's restriction requirement.

DOUBLE PATENTING

The Examiner rejected claims 33 and 35-55 "under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-32 of U.S. Patent No. 6,225,207." A Terminal Disclaimer To Obviate A Double Patenting Rejection which applicant believes to be in compliance with 37 CFR 1.321(c) is enclosed. As evidenced in the enclosed Terminal Disclaimer, the above-identified patent application and U.S. Patent No. 6,225,207 are both owned by Applied Materials, Inc. The inventor of the above-identified patent application and U.S. Patent No. 6,225,207 is Suketu A. Parikh.

Applicant believes that the enclosed Terminal Disclaimer overcomes the Examiner's rejection of claims 33 and 35-55. Applicant therefore respectfully submits that claims 33 and 35-55 are in a condition for allowance under obviousness-type double patenting.